THE MERCHANT SHIPPING (AMENDMENT), BILL, 1986

THE MINISTER OF STATE IN THE DEPARTMENT OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Sir, I beg to move:

That the Bill further to amend the Merchant Shipping Act, 1958, be taken into consideration.

Sir, the Merchant Shipping Act has provisions for safe and efficient maintenance of Indian merchantile marine in a manner best suited to serve the national interests. Measures have been evolved from time to time for ensuring safety of life at sea and the protection of marine environment to preserve marine resources. In serving the country's trade Indian ships ply on many overseas routes to all continents of the world. Similarly, ships of other countries call at all major ports and many of the intermediate ports of our country. In the overall spheres of safe operation of ships the human element, viz, the competence and experience of the merchant navy officers and crew play a most vital role. The perils of the seas have to be countered, both by the improved standards of construction of the ship and updated competence to operate the ships by the officers and the crew. The officers of the navigation and engineering departments are required to possess certificates of competency. These certificates are issued to persons who have complied with the training and operational requirements followed by examinations conducted by officers appointed under the Merchant Shipping Act.

Marine safety is of international concern. The need for an International standard with regard to crew qualifications and competence was deliberated at the International Conference on Training and Certification of Seafarers in 1978 and with the active participation of India on International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, was adopted. The Convention lays down mandatory minimum requirements of training, experience and examination for officers and ratings sailings in various capacities on different categories of ships. A ship is required to be manned by a specified number of persons holding appropriate grades of certificate of competency. The ship is considered unseaworthy if it is not manned in accordance with the Convention and may not be allowed to sail from any port of the countries which are parties to the Convention. Our Government has ratified the 1978 convention and it has come into force with effect from 16th February, 1986.

The certification of ship' officers are presently in accordance with Part VI of the Merchant Shipping Act. The Certificates of Competency granted under the part meet the present requirements of the International Convention. There is however, a provision for the issue of Certificates of Service which is distinct from the Certificate of Competency to the officers of Indian Navy. The sole criterion for the grant of a Certificate of Service is the rank attained by the officer in the Indian Navy. The holder of a certificate of service is presently treated at par with the holder of Certificate of Competency for service in the Marchant Navy. This provision of granting of a certificate without stipulated training, specified experience and examination as per approved syllabus conflicts with the Regulations of the International Convention. Manning of a ship with the holder of Certificate of Service will not be accepted by the maritime countries which are parties to the convention that any ship found so might be detained in their ports.

It is, therefore, necessary to delete the provision for granting Certificate of Service as stated in Section 80 of the Merchant Shipping Act While proposing the deletion of Section 8 from the Merchant Shipping Act, the Government has also considered that it is already possible for the Indian Navy officers, subject to suitable sea experience, to appear for the examinations for obtaining Certificates of Competency. It has also been decided that the Certificates of Service granted in the past will continue to be recognised under the Act. In the above circumstances I now move that the Bill further to amend the Merchant Shipping Act, 1958, may be taken into consideration.

5 P. M.

The Question was proposed

SHRI MOSTAFA BEN QUASEM (West Bengal): Mr. Vice-Chairman, Sir, the object of the Bill, as we see, is to do

[Shri Mostafa Ben Quasem]

away with the hitherto existing conflict between Article 6 of the international Convention on standards of training, certificating and watch-keeping for seafarers which became operative from April 1984 and Section 80 of Merchant Shipping Act of 1958. As such, the Bill is welcome. Sir, yet it remains to be said that the said Convention was ratified by the Government of India in November 1984. The Convention aimed at improving the standards of seafarers. I fail to understand why so much time has been taken by the Government in initatng this piece of legislation which wants to mitigate the anomalies. The hon. Minister would kindly clarify.

You would kindly agree that a discussion on this Amending Bill provides us with an opportunity to make an appraisal of the working of Indian Merchant Shipping in general and the conditions of work of the seamen of our country in particular. Coming to the working of Indian Merchant Shipping, we know that immediately after Independence, a national plan for faster development of Indian shipping was formulated and the targets set for Indian ships were to carry cent per cent of our coastal trade and 50 per cent of our foreign trade. But you know, Sir, that the target for foreign trade is not being fulfilled. In fact, the share of Indian shipping in the carriage of overseas cargo has remained just around 41 per cent during the past 2 or 3 years. This target of 50 per cent of foreign trade should not be seen as too big a target to be fulfilled, particularly in the context of India's declining share in international trade. At present, we perhaps occupy the 42nd position in India's foreign trade. I would therefore like to know from the hon. Minister what steps are being taken by the Government so that Indian Merchant Shipping may be in a position to fulfil this traget.

The Seventh Plan document admits that Indian Merchant Shipping is adversely affected by some of its structural weaknesses and one such weakness is that the fleet is overaged having high operating cost. On the other hand, modern foreign vessels with low operating cost can offer lower freight rates and better services. As a consequence of this the foreign vessels skim off a large chunk of high-value cargo from our coasts. Another weakness which has been referred to in the Seventh Plan document is that while the world is moving speedily towards containerisation, our container fleet is hightly negligible. I would like to draw the attention of the hon. Minister to another aspect of weakness. Our sea-going vessels are of less tonnage capacity ranging from 7000 to 10,000 tonnes compared to the vessels of foreign merchant shipping which, in any case, have a capacity of not below 20,000 tonnes. This has proved to be uneconomic and continues to be a disadvantage to the Indian Merchant Shipping in the field of highly competitive international merchant marine. So, I would urge upon the hon. Minister, and through him the Government, to take constructive measures so that this structural weakness from which our merchant shipping is suffering can be removed very soon.

Now coming to the working conditions of the seamen of our country, I would like to point out that there is an acute problem of unemployment amongst the registered seamen of our country. There are two Seamen Employment Offices in our country, one in Calcutta and the other in Bombay. Now, the Annual Report for 1984-85 of the erstwhile Ministry of Shipping and Transport tell us and I may kindly be permitted to read it out:

Sir, I quote:

"The number of registered seamen available on 1-10-1984 for employment at these offices on foreign-going vessels was 22,237 at Bombay and 9,453 at Calcutta. On this date the number of jobs available on foreign-going ships was 11,478 and 2,760 at Bombay and Calcutta respectively. The number of registered seamen available for employment as on 1-10-84 on home-trading ships was 488 against 279 jobs at Bombay. The number of registered seamen available at Calcutta was 176 against 93 jobs in home-trading sector.'

Sir, this is the position of unemployment of registered seamen. You know, Sir, very well that a seamen, when he gets his enrolment or employment in a foreign going vessel or a sea-going vessel, has to remain aboard for a period ranging

between six to 12 months. But after he signs off he has to wait for a long period of time and in some cases even for a period of three years for a re-assignment. Now, under the present arrangement, there is a provision for payment of un employment allowance or unemployment relief to such seamen. But that provision for payment of unemployment relief is limited only to a period of three months. What will happen to such a seamen and his family after that period of three months? There is a long-standing demand of the seamen of our country and their trade unions for extending this unemployment allowance to such seamen during the entire period of unemployment. In fact, I would like to remind the hon. Minister that Nanda Committee in its Report categorically recommended that unemployment allowence be paid to registered but unemployed seamen pending finding a job for each of them. I would request the Government to immediately implement this recommendation of the Nanda Committee.

Sir, so far as my knowledge goes, a huge sum of money is accumulated in the Seafarers Welfare Fund. I am sorry, I cannot give you the exact figure. The hon. Minister would kindly apprise us. A huge amount is remaining unspent and I would request the Government to come out with a comprehensive welfare scheme for the seafarers of our country, and the Government is committed to that. Sir, in this connection I would also urge upon the Government to ensure efficient running of the National Welfare Board for Seafarers for promot and regular disbursement of money to the widows and the dependents of the seamen who died while on duty in order to do away with unnecessary hardships and harrassment to the families of such seamen

Sir, I would like to say further that the Government should take upon itself the responsibility of ensuring a minimum national wage for the seamen of our country without prejudice to the wage they get while serving in a foreign ship. This is also a demand of the seafarers and their trade unions of our country.

Sir, I would like to draw the attention of the hon. Minister, and through him the Government, to another problem which is being faced by the registered seamen of our country. As I just pointed out, there are only two enrolment centres at present in the country or two seamen's employment officers in our country. One is in Bombay and the other is in Calcutta. This being so, the position sometimes become such that a registered seaman residing say, at Trivandrum, has to come all the way either to Calcutta or Bombay for an assignment or for an enrolment. We know very well, Sir, that there are so many ports in the southern part of our country—Madras, Cochin, Mangalore, Tuticorin, Paradip, Vizag, etc. Sir, I do not know what is standing in the way of the Government in establishing another enrolment centre or another seamen's employment office in any of the southern part of our country. And to my understanding, I think that very conveniently another enrolment centre can be established at the Madrass port. The Government should seriously think over the matter. With the expectation and with the demand that the Government will try its best and take upon itself the task of redressing the long-standing grievances and problems of the seamen, I conclude.

SHRI VITHALRAO MADHAVRAO JADHAV (Mharashtra): Mr. Vice-Chairman, Sir, I rise to support this Bill which has been brought by the hon. Minister of State, Mr. Rajesh Pilot. Sir, this is a very simple Bill, i.e. the Merchant Shipping (Amendment) Bill, 1986. Sir, before this Bill, on the 10th May, 1984, a Bill was brought by the then Transport and Shipping Minister, Mr. Vijay Bhaskara Reddy. Sir, the salient feature of this Bill is that the International Convention on the Standards of Training, Certification and Watch-keeping for Seafarers which was adopted in 1978 at the Conference organised by the Inter-Governmental Maritime Consultative Organisation, now International Maritime Organisation, came into force with effect from the 28th April, 1984 The Convention lays down basic requirements with respect to training, certification and watch-keeping for seafarers in deck, engine and radio departments and also prescribed a syllabi for examination of candidates for various certificates and introduction of a number of training courses aimed at improving the standards of seafarers.

[Shri Vithalrao Madhavrao Jadhav]

Sir, this Bill has been brought at the advice of the National Sea Board Commission and I think that ultimately they want to make some amendments in this Bill which is aimed at improving the living conditions of the seamen in the country.

Sir, on the 10th May, 1984 while introducing a Bill to amend the Merchant Shipping Act, as passed by the Lok Sabha, the hon. Vijay Bhaskara Reddy said that the Merchant Shiping Act was amended from time to time to give effect to the International Conventions of maritime matters. The difficulties which have been observed after the last amendments by the National Shipping Board are now proposed to be solved by giving effect to these recommendations by amending the Act. The Bill was mainly concerned with the provision for insurance for the members of crew of sailing vessels against death or personal injury.

Sir, section 102 of the Act has permitted the Master of the foreign flag ship to engage seamen not being a holder of certificate at the port in India. Sir, section 141(3) also provided by the amendment that any amount payable by way of compensation to the deceased seaman can be paid to his legal heirs. It is proposed to provide that the compensation may be paid to a member of family nominated by the seaman.

Sir, coming to transport, we have three important modes of transport. One is road transport. Another is water transport and the third is the air transport. Sir, so far we have tackled two transports very efficiently, i.e., the road transport and the air transport. But what I feel is that water transport has not been adequately tackled in our country or even *scientifically* tackled. Sir. Shipping industry is a very important industry of the country, it is next to agriculture. It has not been properly developed. As my friend has said from that side, I completely support his view that we are having six thousand kilometres of coastal area with 32 million square kilometres of territorial water zone, i.e., 150 percent more than the land mass available with us.

Sir, sea profession or whatever industry has to come out of the sea, it is more important or as important as agriculture. Sir, this is sea-farming actually. It is not a question of transport alone. It is a question of so many things also. Sir, one-third of Indian population can survive on the waters of the sea or sea business. It has a great potential. There are some problems of the workers. There are workers who have been retrenched. About one thousand workers have been removed. ONGC work has been awarded to a private company, Larsen and Toubro, when we have a large number of seamen who are capable of doing the work. I request the Government to have a sympathetic attitude. We must have a national attitude while awarding work either of ONGC or work relating to bringing out minerals, and so on. The work of ship repairs is also given to private compaines. That is very objectionable because in Bombay so many of the seamen are suffering. As my friend just said, their number of the job registers is very large and in spite of that we are not able to provide any employment to them.

Coming to the problem of unemployment, I have certain figures to give which are different than the ones given by my hon. friend. About 24,000 seamen are on the job registers and out of that, only 12,780 have been provided employment. The ratio comes to 2:1. In Calcutta, about 9,800 seamen are registered and we are able to provide employment only to 2900 persons, which gives the ratio of 3-1/2:1. That means, the seamen are required to remain unemployed for one or two or three years. I endorse the view expressed by my friend that there should be some unemployment allowance given to unemployed seamen, not for a period of three months but it should be given for a period of

three months but it should be given for a period of 3 to 4 years, if a person gets employment. There is a voluntary organisation welfare fund society, which gives something. The Government is earning huge foreign exchange out of this profession and it is essential that we provide some relief to these workers.

About shipping tonnage according to sixth Plan we shall be required to have 3.4 million GRT out of the present six million. Our performance was only .8 million tonnes. We must have proper planning for the development of seafaring. We have quite a large number of ports having commercial potential, in Bombay, Calcutta, Madras, Visakhapatnam, Cape Comorin and Goa.

I would also like to suggest that there should be a national institute for fisheries at these important ports of the country and this aspect should be given a scientific outlook and it must be developed properly.

Our only problem of unemployment needs immediate attention. There are large number of people who are registered and are not getting employment. Because this is a very potential profession, I would request the hon. Minister to take a personal interest to solve this problem. Here I remember one line of a poem, and that is:

"शबनम का एक कतरा भी हमें दरिया लगता है,
हम भी पागल हो जायेंगे ऐसा लगता है।"

This is the situation that we find in the country today. Please take care of it. Thank you.

SHRI YALLA SESI BHUSHANA RAO (Andhra Pradesh): The present amendment to omit a section in the Act of 1958 is welcome. The present Bill paves the way for certification and standardisation of examination required of the seafarers.

Sir, because of lack of such certification or rigorous training, last year, two coastal ships sank with their full crew. Likewise also, there are two ships which went down after having been abandoned. This is the reputation of our shipping industry and mercantile industry. So, this certification is very important. As far as I understand, there was no proper certification for these ships which we lost and there is no trace of them. Sir, the Indian shipping industry, like international shipping is passing through a very critical period. It is in a precarious situation. It has been stated that certification is faulty, there is lack of control and questionable methods of certification are being followed. Now, through this Bill, we can lay down proper standards as far a certification is concerned.

Then, Sir as far as the Inter-Governmental Maritime Consultative Organisation is concerned, we have agreed for another article. This is in regard to prevention of pollution in the high seas. Like in the case of land, sea is also polluted by the reckless running of ships. I am not able to understand why the Transport Ministry has not included this portion of the agreement to which we are a party. It is imperative that some stringent punishment is prescribed in the case of those ships which are polluting the sea.

Then, the question of training. In some cases, I understand, the syllabus and the scope of training are not enough. In this connection, I understand, the training ship at Visakhapatnam Port has been withdrawn. The same is the case in regard to other ports also. I think, there is one training ship at Madras. Here, I would like to suggest that training facilities should be increased.

This should also include training programme in regard to emergency landing, medical treatment, departure of vessels in the case of relief operations etc. There is need for training

[Shri Yalla Sesi Bhushana Rao]

of personnel in all these areas. There is also need for more training ships.

Then, we should also consider the question of construction of tankers with provision for separation of cargo. Otherwise, cargo and oil are dumped and there is lot of scope for pollution.

Sir, shipping industry can be developed by taking up coastal shipping. The scheme for development of coastal shipping should be an integrated one along with the inland water transport and ocean-going transport. By this, we can reduce the burden on the railway and road transport. It is necessary to earmark berths in major ports and there should be greater utilisation of intermediate and minor ports, in regard to coastal shipping. I would like to point out here that the total length of navigable water channel is about 14,500 kms.; of this, 5,200 kms. is suitable for operation of mechanised vessels without any investment. In this regard, there is need for better co-ordination between the hydroelectric, flood control, irrigation and navigational projects which could facilitate the better utilisation of water transport also.

Then, Sir our Government in Andhra Pradesh has suggested that the Krishna and Godavari delta system is suitable for operation of water transport service. I would request the hon. Minister to look into this and initiate steps for starting water transport service in the Krishna and Godavari delta system. Then, Sir, Kakinada Port is a natural port which needs to be developed. I would urge upon the hon. Minister to take up very seriously the question of development of the Kakinada Port. Cheap and good transport system is the lifeline of a nation. All social and economic progress depends upon the availability of modern transport system. The national transport system must be an integrated one. There should be coordination between rail, road, air and water transport systems.

With these words I conclude.

SHRIMATI SUDHA VIJAY JOSHI (Maharashtra): Mr. Vice-Chairman, Sir, I rise to support the Merchant Shipping (Amendment) Bill, 1986. The amenament has been necessitated after the Government of India ratified the Convention regarding standards of training certification and watchkeeping for Seafarers which was adopted in 1978. Sir, before this Convention was adopted, which was aimed at regulating manning of ships by persons holding requisite qualifications, naval officers holding certain rank and having requisite experience were being inducted into merchant naval fleet. This situation would now be rectified.

Merchant shipping, with the use of sophisticated equipment and modern methods of cargo handling, has become a very complicated and specialised subject and it is but natural that this requires specialised training and experience to enable a person to take up this career. The naval officers, by their training, orientation and experience are not exposed to the problems faced by merchant navy and, therefore, it is but natural that they should be debarred from entering this field.

Sir, coupled with this is also the problem of glut in the manpower market in the merchant shipping. Scores of trained and qualified navigation officers and engineers are unemployed for long intervals. There is a lot of disguised unemployment in the sense that a number of persons holding higher certificate of competency are sailing in lower posts. To cite an example, persons holding master's ticket are going as second officers. To train a navigation officer and to enable him to pass his master's ticket examination, it takes a period of ten to twelve years after he has joined as a cadet. In this period he puts in a lot of efforts and a great amount of money is invested in him by the shipping industry and the Government for his training and for his acquiring the necessary skills. If at the end of the day, when he does not get any gainful employment, the whole effort is wasted.

Initially, when a young boy joins as a cadet, a very rosy picture is before his eyes about his exciting and rewarding career and his dreams gets shattered when he comes to realise that all the efforts put in by him are of no avail and sometimes these boys had to take to petty jobs like selling, pan, bidi and cigarettes.

Sir, this situation has arisen, I am aware, due to continuous recession in the shipping industry, and there are as yet no visible marked signs of recovery. World-Over the situation continues to be worsening. Large tonnage is still idle, increasingly tonnage is being scrapped, and new orders are being slashed. Grain movement and other bulk commodity movement is on the decline. Other modes of transport are increasingly taking larger share. Be that as it may, the Indian shipping industry needs to be given protection by the Government, by taking certain measures. I would suggest the following :

(1) Where managements are not effective and where huge loans of SDFC are remaining unpaid, the Government should introduce structural changes in the managements and mergers of uneconomic companies with better managed companies may be considered. In addition one more print needs to be brought to the attention of he hon. Minister. Due to recession some of the major ship-owners are giving their old ships for management to some newly formed mushroom companies. These ships, in reality, need to be scrapped. But these are put to use. They need extensive repairs before use, but only some patchwork repairs are carried out and they are used. I am rather surprised that the survey machinery also winks at these matters. It is a very serious matter that substandard old vessels are used and they endanger the life of crew and crores of rupees worth of cargo is at stake. I have a strong suspicion that for collecting insurance many ships are being re-employed with callous indifference to human life and property. I would strongly urge the hon. Minister to look into the aspects of management contracts and employment of ships and survey authorities functioning and take measures to correct the situation.

2. For the purpose of bulk imports of products, contracts should be on FOB (free-on-board basis) only. Despite instructions to this effect, a number of public sector undertakings continue to import on c.i.f. (cost insurance-freight) basis in which deals many times the vessels used are of Flags of convenience. This has a double effect, on the one hand, cargoes are denied to Indian Shipping companies and on the other hand due to usage of bad ships, cargoes never reach this country but only insurance claims are received.

3. For exports, as far as possible, c.i.f. contracts should be used and encouraged.

4. Why should the Department of Coal not consider substantially increasing movement of coal to power stations by using coastal shipping vessels rather than depend on railways?

5. Considerable improvement in the management of companies should be brought about for speedy turn-round of vessels to ensure larger volume of tonnage to be handled at these ports.

6. Exploring avenues of regional cooperation with other maritime countries of the region.

These are my broad suggestions given in the wider perspective of reactivising the shipping industry.

As regards manpower, I have the following suggestions:

1. To find out avenues for encouraging trained unemployed officers in taking up various related jobs in the ports like agency work etc. and giving them special assistance for this purpose. In addition, to make it obligatory for existing agents to employ these trained people in their organisations.

2. To create a roster of unemployed qualified officers and devise a scheme by which by rotation they are given engagements on vessels. For this purpose, future

[Shrimati Sudha Vijay Joshi]

recruitment by individual Indian shipping companies may be frozen and the job entrusted to a specialist body which would provide manpower on rotational basis.

3. To control intake of cadets for training ship "Rajendra" and the direct entry cadets.

4. To discourage chartering of foreign supply vessels by ONGC, Oil India etc. and to give opportunity to Indian flag vessels.

Sir, I am confident that the hon. Minister would give due consideration to the above suggestions and take some corrective measures. With these words, I support the amendment. Thank you.

श्री शंकर सिंह बाघेला (गुजरात) : वाइस चेयरमैन महोदय, हमारी इंडियन शिपिंग इंडस्ट्री ट्रेनिंग में, सर्टिफिकेशन में, वाच कीपिंग में इंटरनेशनल स्टैंडर्डस के लिये कोशिश कर रही है इसके लिये मैं मंत्री जी को बधाई देता हूं और चाहता हूं कि आप और भी कोशिश करिये, हमारी आप को सपोर्ट है।

हमारी इंडस्ट्री कोई नयी नहीं है। जब हवाई जहाज भी नहीं निकले थे तब से हिन्दुस्तान में शिपिंग इंडस्ट्री चल रही है। इतना बड़ा समुद्र का किनारा हमारे पास है और इस जल मार्ग से हिन्दुस्तान की संस्कृति पुराने समय में हम ने विदेशों में भेजी है। दुर्भाग्य से हमारी सरकार ने आजादी के बाद इस शिपिंग इंडस्ट्री को जितनी importance दी जानी चाहिए थी, नहीं दी। हवाई जहाज से कहीं आने जाने में भले ही समय कम लगता हो, उसके भी लाभ और अलाभ हैं, लेकिन हमारा जो सागर का किनारा है उससे प्राय: हर स्टेट को फायदा होता है। थोड़ा सा सेंट्रल भारत या जम्मू काश्मीर को छोड़ कर बाकी सब राज्यों को उसका लाभ मिलता है और इस लाभ का उपयोग आम तौर पर हम ने किया है। भूतकाल में भारत की संस्कृति और पहले जो हमारा सामान होता था, जो हमारा माल था उसके लिये यह एक सहारा था, इसके द्वारा ही हम उसे बाहर भेजते थे और इसका उपयोग करते थे। इसलिये यह एक मेजर और वाइटल इंडस्ट्री है और इसका भरपूर उपयोग होना चाहिए। वह अभी तक नहीं हुआ है। जो हमारा कोस्टल एरिया है उसके लिये कोस्टल गार्डस को जितने मिलने चाहिए उतने नहीं मिलते और उसका हेड क्वार्टर भी दिल्ली में है। तो समुद्र के किनारे का ख्याल करके उसका हेड क्वार्टर बम्बई या कलकत्ता में रखा जाना चाहिए।

वाटर ट्रांसपोर्ट इंडस्ट्री को आप प्राधान्य दीजिए जैसे कि वायुदूत की बात हमारे मंत्री जी सोच रहे हैं उसी तरह से फेरी सर्विसेज के लिये जो जो राज्य डिमांड करते हैं वह उन को दी जानी चाहिए। हमारे यहां इससे फायदा हो रहा है। यह शार्ट कट है और जैसे हमारे गुजरात में कोल नहीं मिलता है। उसको ले जाने के लिये वैगन नहीं मिलते हैं और अगर वैगन मिलते हैं तो कोयला नहीं मिलता है, तो उसकी जगह शिप्स से कोल ले जाया जा सकता है। कांडला में यूरिया है, बहुत है, और दूसरी चीजों की जो वहां जरूरत है उनको वहां भेजिये और इस तरह से इंटर चेंज कर के आयल और कोल का उपयोग कम किया जा सकता है और इसके लिये वाटर ट्रांसपोर्ट को ज्यादा से ज्यादा प्राधान्य दिया जाना चाहिए। मैं समझता हूं कि हमारे देश में इसका सांइटिफिक उपयोग करके इस का बहुत लाभ जनता और देश और हमारा इंडस्ट्री को मिल सकता है। जो टनेज का मामला है, हमारा टनेज थ्रू इंडियन फ्लैग शिप है। तो इस में ज्यादा फायदा रहता है। सी फैयर्स के लिये जो आप ने सोचा है उसके लिये प्लानिंग है क्या। अगर आप एक आदमी को ट्रेनिंग देते हैं तीन, चार या पांच साल और वह बाद में अनइंप्लायड रहता है तो उसका क्या फायदा। आप पहले सोच लें कि आप को दो, तीन साल के बाद कितने आदमी चाहिए और उस प्लानिंग के हिसाब से आप उन को ट्रेनिंग दीजिए और जब वे तैयार हो जायें तो उनको नौकरी दीजिए। अगर आप उनको नौकरी नहीं

नहीं देते है तो आप उनको अनइंप्लायमेंट भत्ता दीजिए। मैं समझता हूं कि कुछ लोग सुप्रीम कोर्ट में भी भत्ता न मिलने के कारण गये हैं। यह भत्ता देने की बात इस इंडस्ट्री में नहीं है और इसकी डिमांड हो रही है। लेकिन हमारी प्लानिंग होनी चाहिए कि इतने लोग तैयार होंगे और इतनी जगहें होंगी। उसमें इस तरह से लोगों को लिया जायगा। खामखाह अनइंप्लायमेंट भत्ता देने का सवाल ही फिर नहीं उठेगा।

शिप यार्ड का डवलपमेंट भी केन्द्र सरकार के हाथ में है। उस का क्लियरेंस देने की बात सेंट्रल गवर्नमेंट के पास है। हज़ीरा शिप यार्ड की हम डिमांड कर रहे हैं। हज़ीरा कांपलेक्स बहुत साइंटिफिक है। इसी प्रकार गांधार हाई और बांबे हाई के कांप्लेक्स को डैवलप किया जा सकता है। तो इन सबका उपयोग करके आप उनको क्लियरेंस देने में हमारी मदद करें। ऐसा होने से शिप इंडस्ट्री को ज्यादा फायदा होगा और कई जगह छोटे छोटे कुदरती पोर्टस हैं। आम तौर पर आप को वहां कुछ नहीं करना है। आप सर्वे कराइये हिन्दुस्तान का जो 6000 कि० मी० से ज्यादा समुद्री किनारा है उसमें आपको कुदरती पोर्ट बहुत से मिलेंगे और थोड़ा ही खर्च करने के बाद आप उनको तैयार कर सकते हैं। उनमें डाक का मेंटेनेंस का खर्च भी कम होगा। तो जो कुदरती पोर्ट है उनको डेवलप करने के लिए सरकार ध्यान दे और जो स्कीमें राज्य सरकारें भेजती है उनको स्टडी करे और अगर ठीक लगे तो उसमें सेंट्रल गवर्नमेंट को मदद करनी चाहिए। कांदला में आपने जितना खर्चा किया है, कुदरती पोर्ट जहां बन सकता है उसका फायदा आप उठायें जिससे कि कम खर्च सेंट्रल गवर्नमेंट का आएगा।

श्रीमन् अब अगर हमारी इंडस्ट्री इतनी डेवलप होती तो जो शिप बिल्डिंग इंडस्ट्री है जो लाखों रुपया हमारी सरकार को देती है ऐक्साइज ड्यूटी और उसके लिए हमको फारेन ऐक्सचेंज देना पड़ता है, एम. एम. टी. सी. परचेज करती है; तो शिप इंडस्ट्री हमारी रिच होनी चाहिए। हमारी शिप ब्रेकिंग इंडस्ट्री जैसे गुजरात में है, जो कि आर्निंग इडस्ट्री है, उसको भी बढ़ावा मिल सके वहां शिप ब्रेकिंग के लिए बहुत बढ़िया किनारा है। जो हमारी मर्चेंट शिपिंग इंडस्ट्री है वह रिच हो तो जब शिप कंडम होता है तो जितना रुपया उस समय खर्च किया है, वह शिप मे जो लोहा लगा होता है या पीतल होता है, उससे पूरा हो सकेगा। आजकल जो आयल बम्बई और सागर में निकलता है, वह आपको ओ.एन.जी.सी. के लिए चाहिए। लेकिन इससे जो पाल्यूशन होता है वह भी आपको देखना पड़ेगा क्योंकि सागर आपके कंट्रोल में है। इसलिए शिपिंग के हिसाब से जहां जहां पाल्यूशन होता है उसको देखते हुए मैं माननीय मंत्री जी से निवेदन करूंगा कि वह इन बातो को ध्यान में रखते हुए भारत की शिप इंडस्ट्री को बढ़ावा दें।

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष महोदय, जैसा कि इस संशोधन विधेयक के उद्देश्यों और कारणों में बताया गया है, अंतर्राष्ट्रीय समुद्री संगठन द्वारा 1978 में जो सम्मेलन हुआ था, उसमें जो मानदंड निर्धारित किया गया था जो 28 अप्रैल, 1984 को प्रभावी हुआ, जिसका भारत सरकार ने 16 नवम्बर, 1984 को समर्थन किया, उसी को प्रभावी करने के लिए यह संशोधन विधेयक लाया गया है। यह वर्तमान वाणिज्य पोत परिवहन विधेयक 1958 जो पारित किया गया था उसको प्रभावी करने के लिए यह आवश्यक है कि जो सागर गामी है उसके संबंध में धारा 80 को समाप्त किया जाए और उसके परिणामस्वरूप कुछ और जो छोटे छोटे संशोधन लाए गए है वे आवश्यक हैं। मंत्री जी हालांकि यह संशोधन विलंब से लाए लेकिन दुरुस्त लाए, इसके लिए मैं उनको बधाई देता हूं क्योंकि उनकी नीयत अच्छी है और मुझे आशा है कि जिस नीयत से यह संशोधन लाया जा रहा है, उसको वास्तविक रूप मे इस विभाग के अधिकारी प्रभावी करेंगे जिससे कि सागर गामी को लाभ मिल सके।

[श्री सत्य प्रकाश मालवीय]

मान्यवर, जहाजों में जो तेल या आयल होता है उससे समुद्र में प्रदूषण होता है और निश्चित रूप से उससे लोगों के स्वास्थ्य पर बुरा असर पड़ता है। इसलिए इस संबंध में कोई खामी हो तो उसके बारे में भी अध्ययन कराया जाय और अध्ययन के बाद एक व्यापक संशोधन विधेयक इस सदन में लाया जाय। दूसरे, जो शिपिंग फर्म्स हैं उनमें जो कर्मचारियों की भर्ती के नियम हैं उनके मानदण्ड का भी बराबर उल्लंघन होता रहता है इस सम्बन्ध में जो प्रभावित लोग हैं बराबर शिकायत करते रहते हैं। जैसा माननीय सदस्यों ने इस सदन में ध्यान आकर्षित किया है कि सीमेन्ट के एम्पलायमेंट आफिसेज हैं, रोजगार कार्यालय हैं उनके बारे में भी बराबर शिकायतें आती रहती हैं तो मेरा निवेदन है कि इस सम्बन्ध में मंत्री जी अपने विभाग के जरिए एक कड़ा कदम उठाने की व्यवस्था करें। शिपिंग इंडस्ट्री जो है यह बहुत बड़ा उद्योग है। इस उद्योग के जो मालिक हैं उन लोगों ने काफी धनराशि, हमारे देश की जो वित्तीय संस्थाएं है या जो बैंक है उनसे कर्ज के रूप में ले रखी हैं। जो कुछ जानकारी मुझे प्राप्त हुई है, जो वित्तीय संस्थाएं है उनका जो मूलधन है उनको वापस नहीं करते या जो बैंक हैं उनका मूलधन वापस नहीं करते या जो उनकी ब्याज की धनराशि है वे समय पर नहीं देते हैं। वे इस बात का बहाना करते हैं कि हमारा जो उद्योग है मुनाफे पर नहीं चल रहा है, यह घाटे पर चल रहा है। मैं मंत्री जी से जब वह अपना उत्तर दें, यह जानना चाहूंगा कि इस संबंध में क्या वर्तमान व्यवस्था है और किस तरह से उन उद्योगपत्तियों से समय से वह रुपया जो वित्तीय संस्थाओं से या बैंकों से लिया हुआ है, उनसे वसूल करने का प्रावधान करेंगे ?

एक जल मार्ग बन रहा है उसका नाम कलकत्ता-हलदिया इलाहाबाद जलमार्ग रखा गया है। इसका कार्य चल रहा है। निश्चित रूप से इस जल मार्ग का कार्य पूरा होगा तो यह जो उत्तर प्रदेश के और बिहार के पूर्वी जिले है जो पिछड़े हुए जिले हैं यहां के लोग बहुत गरीब हैं उनको निश्चितरूप से काम मिलेगा, रोजगारी दूर होगी, पिछड़े हुए क्षेत्रों की तरक्की होगी।

मैं विशेषरूप से मंत्री जी से आग्रह करूंगा कि इस जल मार्ग को बहुत तीव्र गति से पूरा करने का प्रयास करें और इस संबंध में हमें कुछ अवगत कराने की कोशिश करें क्योंकि पश्चिमी बंगाल से लेकर बीच में बिहार, उत्तर प्रदेश आदि इलाके पड़ेंगे। इससे इन सब को लाभ होगा। इन शब्दों के साथ एक बार फिर मैं मंत्री जी को बधाई देना चाहता हूं, इस क्रान्तिकारी विधेयक को लाने के लिए।

SHRI SHANKER SINH VAGHELA: I would like to make one more point. The difference between the Indian shipping vessels and the foreign shipping vessels like the Greek vessels and the Middle East vessels and also the difference between the casual and temporary labour system should be abolished.

SHRI RAJESH PILOT: Sir, as you see from the remarks of the hon. Members, most of the Members do agree that to amend the Act was a requirement. That is why this Bill has been brought. So, I take it for granted that the whole House does feel that this was the requirement to amend the Act.

Hon. Members have pointed out many things.

Initially an hon. Member had said that there has been some delay in bringing in this Bill to amend the Act. In 1984 it was ratified by the Convention and on 16th February it became applicable to us. For bringing in the legislation and following other procedures, it does take time.

SHRI SATYA PRAKASH MALAVIYA: But you are bringing in so many ordinances overnight.

SHRI RAJESH PILOT: So, we have tried our best. Of course, if you see the two dates from 1984 to 1986, it does give an impresion that delay has been caused.

[The Vice-Chairman (Shri Santosh Kumar Sahu) in the Chair]

Since, I think only ten minutes are left, I will cover only general points.

Most of the Members have said that the shipping industry is a very important industry. I do share their feeling that this is one important mode of transport. It has not only commercial part of it, it is also a second line of defence. Government has always accorded priority to the shipping industry with the resources available within the planned schemes. In the Seventh Plan this intention is very clear. We have allotted sufficient funds. The funds to the shipping industry have been doubled.

Another point has come regarding the tonnage. An hon. Member has pointed out that our ships have less tonnage. I do not think he has correct information because our shipping industry has a tonnage capacity of upto 65,000 to 80.000 tonnes. So we do not have 10,000 or 20,000 tonnage capacity any more. We have gone very far.

Some hon. Members have raised about another sore point, that is, about unemployment. Unfortunately the shipping industry has gone into a recession. If the shipping industry had not gone into a recession, unemployment would have never come in the sight of the people. There was a day when we used to train the cadets for our own shipping lines. We used to train them for our own merchant nevy. We used to train them for our own Shipping Corporation of India. But they used to get jobs in foreign shopping lines. But after the recession jobs came down in every country. Even the foreign liners and foreign ship lines also stopped taking people from our own country. So the unemployment increased because of the recession. The shipping industry got into losses. As a result of this they stopped their intake and reduced their strength. If the intake would have continued the training labour, the training system would have been very successful. But the moment the intake stopped, the unemployment increased. Sir, I had the same feeling what other hon. Members have today when I became a Minister in this Department. When I met young people either 22 years or 24 years old they told me that we have done three years training and we are sitting idle. Somebody said that my father hails from a middle class family and I have waster three years. I am unemployed. But our hon. Prime Minister was very kind enough and gave us a clearance that we must find out some way to adjust these boys who have rone this training. Our Department took some measures within our resources to start a scheme to employ them in batches. We could not employ 400 and odd boys who are in waiting list. But in batches of 40, 50 and in some States 100 boys have been employed. We are trying to help them to the maximum extent possible. Sir, equally it is applicable to the seafarers. There are two places where we register them, that is, Bombay and Calcutta. I do share the feelings of the hon. Members that there should be one more registration office in South too. We are trying our best to establish the same. But the problems is that seafarers unions came and approached us that we should not open another registration office in Madras and only these two offices should continue. But the Government is trying its best to extend this facility to South also so that the whole region is covered.

Some hon. Members mentioned about the fund for the welfare of such contingencies or such exigencies where some accident takes place. It is already existing and immediately on such occasion this Department and this fund does come to the rescue of the concerned families and concerned people.

Sir, some hon. Members emphasised about coastal shipping. Our Government is very seriously concerned about this subject. We have also ordered a survey. I have already mentioned in my statement that all over the country where we can use he water resources for transport we should do that. We are carrying out a survey and as soon as this report is available we will initiate action. We are also writing

[Shri Rajesh Pilot]

to all the Chief Ministers that we should use not only coastal waters for transport system but also canal waters. That is why an Inland Water Transport Authority has been created by the Government. A Bill to this effect has already been passed by the Parliament. We are establishing a separate Inland Water Transport Authority for this purpose so that every drop of water could be utilised for transport system.

An hon. Member, Shri Satya Prakash Malaviya mentioned about Haldia to Allahabad water transport system. He will be happy to know that we are just awaiting the Farakka Barrage being commissioned. The day it is commissioned we will operate the water transport system from Allahabad to Haldia. We have already done dummy trial from Haldia to Patna and we are likely to touch Allahabad also. On this line we will not only use it for cargo but we will make use of it for passengers also so that they can travel on this national water ways very comfortably and with less tension than by road transport or rail transport.

Some hon. Members also mentioned about loan from the SDFC. Sir, it is a fact that some of the companies did misuse this opportunity, becaue the Government wanted to develop this industry by granting some concessions. When we intiated this to encourage our industry we were rather liberal inhelping the people. Some people did misuse it. It was mainly because of the recession. When the recession was not there in the industry in 1979-80 we recovered nearly Rs. 1,000 crores in a single year. But because of the recession, they could not cope up with their commitment of repaying their loans to the SDFC. But there was a flaw that when they took loans from the SDFC, normally as per the SDFC rules, they used to martgage the ships. What used to happen is that if your ship is mortgaged and you are not earning, you are not worried about it. Now the Government has moved in to see that anybody who takes loans mortgages not only his ship but also his property so that is he does not pay, his property is attached. So the Government is serious about it. It should not be that a person who takes a four per cent loan to buy a ship will pay only if the income is there and will not pay if the income is not there. Therefore, we are concerned about the national exchequer's money and we are making sincere efforts to see that not a single paisa is misused by any person. And we have adopted ways and means to help those viable companies who have worked to repay the loan to the SDFC on time. We are rescheduling the loans and we are also trying to help them with some cargo support from the Government side. This idea is also under consideration so that they can cope up with the recession. It is a world-wide recession. I am not in a position now to give the correct figures as to how much the American and British Government have supported their industries. They are supporting them to the extent of 90 to 95 per cent of the recession. We have not done as much as the other countries have done.

As far as the ports are concerned, the question of pollution has been mentioned. We have taken measure in this regard and at every port, anti-pollution schemes are coming up to see that pollution does not take place in the ports. The ports have handled 120 million tonnes of cargo traffic, which is an all-time record, and it is 12 per cent more that the previous year. So we are making our best efforts from the Government of India to make the industry more strengthful because we do feel that it dies have a direct impact on the economic policies of the Government and it is of direct benefit to the people.

With these words, I thank all the Members who took keen interest in the subject. I now move that the Bill be taken into consideration.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): The Question is:

"That the Bill further to amend the Merchant Shipping Act, 1958, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN: (SHRI SANTOSH KUMAR SAHU) : We shall now take up clause-by-clause consideration of the Bill.

Clause 2 to 5 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI RAJESH PILOT: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Now the House stands adjourned till 11 A. M. tomorrow.

The House then adjourned at fifty-nine minutes past five of the clock till eleven of the clock on Thursday, the 24th July, 1986.

MGIPMR—761 R. S.—Mono—12-1-1987